

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**SERGIO RODRIGUEZ and
ANA QUIROZ, Individually and as
Next Friends for E.R., a Minor,
Plaintiffs,**

v.

**NORTHWEST PIPE COMPANY,
Defendant.**

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CASE NO. _____

NOTICE OF REMOVAL

To the Honorable Judges of the United States District Court for the Northern District of Texas:

I.

Northwest Pipe Company is the defendant in a civil action brought on March 27, 2017, in the 236th District Court of the State of Texas, County of Tarrant, entitled “Sergio Rodriguez and Ana Quiroz, Individually and as Next Friends for E.R., a Minor, vs. Northwest Pipe Company,” Cause No. 236-291204-17. A copy of the citation on Northwest Pipe Company and the petition in this action are attached as Exhibits 1 and 2, respectively, and constitute all process, pleading, and orders served on Defendant in the action.

II.

The citation and petition in this action were served on Defendant Northwest Pipe Company on April 13, 2017. This notice of removal is filed within 30 days of receipt of the petition and is timely filed under 28 U.S.C. § 1446(b).

III.

The district courts of the United States have original jurisdiction over this action based on diversity of citizenship among the parties, in that every defendant is now and was at the time the

action was commenced diverse in citizenship from every plaintiff. No defendant is or was at the time the suit was commenced a citizen of the State of Texas.

Plaintiffs Sergio Rodriguez, Ana Quiroz, and their minor child E.R. are Texas residents residing in Dallas, Texas, and were such at the time this action was commenced.

Defendant Northwest Pipe Company is an Oregon corporation with its principal place of business in Vancouver, Washington. See Affidavit of Robin Gantt, attached hereto as Exhibit 3.

IV.

The amount in controversy in this action exceeds, exclusive of interest and costs, the sum of \$75,000. As stated in the Plaintiffs' Original Petition, attached to this notice, Plaintiffs seek monetary relief of over \$1,000,000.00.

V.

Removal of this action is proper under 28 U.S.C. § 1441, since it is a civil action brought in a state court, and the federal district courts have original jurisdiction over the subject matter under 28 U.S.C. § 1332 because the plaintiffs and defendant are diverse in citizenship.

WHEREFORE, Northwest Pipe Company, Defendant, pursuant to these statutes and in conformance with the requirements set forth in 28 U.S.C. § 1446, removes this action for trial from the 236th District Court of the State of Texas, County of Tarrant, to this Court, on this 3rd day of May, 2017.

Respectfully submitted,

PETERSON FARRIS BYRD & PARKER
A Professional Corporation
P. O. Box 9620
Amarillo, TX 79105-9620
(806) 374-5317; FAX: 372-2107

By /s/ Thomas D. Farris
Thomas D. Farris, SB# 06844700
tfarris@pf-lawfirm.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2017, I electronically filed the foregoing document with the Clerk of the U.S. District Court, Northern District of Texas, Fort Worth Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the following attorneys of record, who have consented in writing to accept this notice as service of this document by electronic means.

Mr. Todd Clement
clement@clementfirm.com
Ms. Ragan Speer
ragan@clementfirm.com
The Clement Firm
17855 Dallas Parkway, Suite 155
Dallas, TX 75287
Attorneys for Plaintiff

/s/ Thomas D. Farris
Thomas D. Farris

Received 4-12-17 12:00 PM

Delivered 4-13-17 1:10 PM

THE STATE OF TEXAS
DISTRICT COURT, TARRANT COUNTY

SERVICE COPY

CITATION

Cause No. 236-291204-17

SERGIO RODRIGUEZ, ET AL
VS.
NORTHWEST PIPE COMPANY

TO: NORTHWEST PIPE COMPANY

B/S CSC-LAWYERS INCORPORATING SERVICE CO REG AGT 211 E 7TH ST STE 620 AUSTIN
TX 78701-3218

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFFS' ORIGINAL PETITION at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 236th District Court, 100 N CALHOUN, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being

SERGIO RODRIGUEZ, ANA QUIRO

Filed in said Court on March 27th, 2017 Against
NORTHWEST PIPE COMPANY

For suit, said suit being numbered 236-291204-17 the nature of which demand is as shown on said PLAINTIFFS' ORIGINAL PETITION a copy of which accompanies this citation.

TODD CLEMENT
Attorney for SERGIO RODRIGUEZ Phone No. (972)250-9250
Address 17855 DALLAS PKWY STE 155 DALLAS, TX 75287

Thomas A. Wilder, Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 28th day of March, 2017.

By Anthony Ferrara
ANTHONY FERRARA



NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *23629120417000005*

Received this Citation on the _____ day of _____, _____ at _____ o'clock _____ M; and executed at _____ within the county of _____, State of _____ at _____ o'clock _____ M on the _____ day of _____, _____ by delivering to the within named (Def.): _____ defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFFS' ORIGINAL PETITION having first endorsed on same the date of delivery.

Authorized Person/Constable/Sheriff: _____
County of _____ State of _____ By _____ Deputy

Fees \$ _____
State of _____ County of _____ (Must be verified if served outside the State of Texas)
Signed and sworn to by the said _____ before me this _____ day of _____
to certify which witness my hand and seal of office
(Seal)

County of _____, State of _____



X17PS

NO. 236-291204-17

FILED
TARRANT COUNTY
3/27/2017 2:09:16 PM
THOMAS A. WILDER
DISTRICT CLERK

SERGIO RODRIGUEZ and
ANA QUIROZ, Individually, and as
Next Friends for E.R., A Minor,
Plaintiffs,

VS.

NORTHWEST PIPE COMPANY,
Defendant.

§ IN THE DISTRICT COURT
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§ TARRANT COUNTY, TEXAS
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§
§ JUDICIAL DISTRICT

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW SERGIO RODRIGUEZ and ANA QUIROZ, Individually as Next Friends for E.R., a Minor, and complaining of NORTHWEST PIPE COMPANY, Defendant, and for cause of action would respectfully show unto the Court and jury the following:

1. RULE 190 DISCOVERY PLAN

1.1 Damages in this case exceed \$50,000 and it is complex. Accordingly, this case is intended to be conducted under Level 3 of Rule 190.

2. RULE 47 PLEADING

2.1 As required by Rule 47, Texas Rules of Civil Procedure, the damages sought are within the jurisdictional limits of the Court and Plaintiffs seek monetary relief over \$1,000,000 plus a judgment for all other relief to which Plaintiffs are entitled. The amount of monetary relief actually awarded, however, will ultimately be determined by a jury.



3. PARTIES/SERVICE OF PROCESS

3.1 Plaintiff SERGIO RODRIGUEZ and ANA QUIRO's current address is 9914 Hustead, Dallas, Texas 75217. SERGIO RODRIGUEZ and ANA QUIROZ do not have a Texas driver's license and does not have a social security number.

3.2 Plaintiff E.R. is the 5-year-old minor child of SERGIO RODRIGUEZ and ANA QUIROZ.

3.3 Defendant NORTHWEST PIPE COMPANY (hereinafter referred to as "NORTHWEST PIPE") is a foreign corporation, organized and existing under the laws of the State of Oregon. At all times relevant herein, NORTHWEST PIPE was authorized to do and was actually doing business in the State of Texas, with its principal office in this state being NORTHWEST PIPE COMPANY, Saginaw Plant, 351 Longhorn Road, Saginaw, Tarrant County, Texas 76179. NORTHWEST PIPE may be served through its registered agent, Corporation Service Company d/b/a CSC – Lawyers Incorporating Service Company, 211 East 7th Street, Suite 620, Austin, Texas 78701-3218.

4. VENUE

4.1 Jurisdiction is proper because NORTHWEST PIPE availed themselves of the benefit of conducting business in the State of Texas and should reasonably expect to defend itself in the courts of this state.

4.2 Venue over this matter is proper pursuant to Section 15.001(a) and Section 15.002(3) of the Texas Civil Practice and Remedies Code in that NORTHWEST PIPE's principal office is in this State in Tarrant County, Texas.

5. FACTS

5.1 On or about June 3, 2015, SERGIO RODRIGUEZ was working for A.R. Daniel Construction Services, Inc. (hereinafter referred to as "A.R. Daniel") on a water pipe project in Amarillo, Texas. NORTHWEST PIPE furnished Permalok pipe for the project. An employee and/or agent of NORTHWEST PIPE instructed A.R. Daniel to connect pieces of Permalok pipe by lifting the back end of the pipe by use of a crane and connective device attached to the cross brace welded by NORTHWEST PIPE inside the Permalok pipe. While performing such activity on June 3, 2015, the cross brace from the Permalok pipe came loose and struck SERGIO RODRIGUEZ causing catastrophic injuries and Plaintiffs' resulting damages (hereinafter "the Incident").

6. CAUSES OF ACTION

6.1 Defendant NORTHWEST PIPE, by and through the acts of its employees and/or agents in the course and scope of their employment, instructed A.R. Daniel to lift the Permalok pipe by the cross brace, inadequately welded the cross brace in the Permalok pipe involved in the Incident, failed to warn that the cross brace should not be used for lifting, failed to construct the Permalok pipe with a designed means for required lifting and failed to exercise ordinary care under the circumstances, all of which constitutes negligence which proximately caused the Incident, SERGIO RODRIGUEZ'S severe injuries and Plaintiffs' resulting damages.

6.2 The Permalok pipe designed, manufactured and/or sold by NORTHWEST PIPE which was involved in the Incident had a design defect as set forth in 6.1 above which rendered it unreasonably dangerous as designed, taking into consideration the utility of the product and the risk involved in its use which was a producing cause of the Incident, SERGIO RODRIGUEZ'S severe injuries and Plaintiffs' resulting damages.

7. **DAMAGES**

7.1 As a result of the Incident and Defendant's negligence, SERGIO RODRIGUEZ suffered damages in the form of past and future:

- A. Medical expenses;
- B. Pain and mental anguish;
- C. Lost earnings and earning capacity;
- D. Physical impairment and
- E. Disfigurement.

7.2 As a result of the Incident, Defendant's negligence and the injuries to her common-law husband, SERGIO RODRIGUEZ, ANA QUIROZ suffered damages in the form of past and future:

- A. Loss of consortium and
- B. Loss of household services.

7.3 As a result of the serious, permanent and disabling injuries to E.R.'s father SERGIO RODRIGUEZ, E.R.'s next friend, SERGIO RODRIGUEZ and ANA QUIROZ, seek recovery for E.R.'s past and future loss of parental consortium.

8. PREJUDGMENT AND POSTJUDGMENT INTEREST

8.1 Plaintiffs hereby pray for prejudgment and postjudgment interest in the maximum amount allowed by law on the damages awarded by the jury.

9. JURISDICTION AND MAXIMUM DAMAGES PLED

9.1 Plaintiffs' damages exceed the minimum jurisdictional limits of the Court.

10. JURY DEMAND

10.1 Plaintiffs respectfully request that a jury be convened to try the factual issues of this case.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs SERGIO RODRIGUEZ and ANA QUIROZ, Individually and as Next Friends for E.R., a minor, pray that Defendant NORTHWEST PIPE COMPANY be cited to appear and answer herein, and that upon final hearing hereof, Plaintiffs receive judgment of and from the Defendant, in the amounts as determined by the Court and Jury, for prejudgment and post-judgment interest at the legal rate, costs of court and for such other and further relief, at law and in equity, to which Plaintiffs may show themselves justly entitled and for which they will ever pray.

Respectfully submitted,

THE CLEMENT FIRM
17855 Dallas Parkway, Suite 155
Dallas, Texas 75287
TEL: 214/250-9250
FAX: 214/535-6358
Email: clement@clementfirm.com

By: /s/ Todd Clement
Todd Clement
State Bar No. 04361525
Ragan Speer
State Bar No. 24072361

ATTORNEYS FOR PLAINTIFFS

No. 236-291204-17

**SERGIO RODRIGUEZ and
ANA QUIROZ, Individually and as
Next Friends for E.R., a Minor,
Plaintiffs,**

v.

**NORTHWEST PIPE COMPANY,
Defendant.**

§ **IN THE DISTRICT COURT**
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§ **TARRANT COUNTY, TEXAS**
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§
§ **236TH JUDICIAL DISTRICT**

AFFIDAVIT OF ROBIN GANTT

Before me, the undersigned notary public, on this day personally appeared Robin Gantt, a person personally known to me, who first being duly sworn, stated and deposed as follows:

My name is Robin Gantt. I am over 21 years of age, have never been convicted of a felony or other crime involving moral turpitude, and am in all respects competent to testify and make this affidavit. All of the statements made by me in this affidavit are based upon my personal knowledge and are true and correct.

"I am the Chief Financial Officer (CFO) of Northwest Pipe Company, the Defendant in the above-styled lawsuit.

"Northwest Pipe Company is in the business of manufacturing high-pressure steel pipe for water transmission, and electric resistance welded steel pipe for construction, agricultural, and industrial applications. Northwest Pipe Company has seven plants in North America.

"Northwest Pipe Company is incorporated in the State of Oregon. Northwest Pipe Company's principal place of business is in Vancouver, Washington, where its corporate headquarters are located. The corporate headquarters in Vancouver, Washington, is the place where Northwest Pipe Company's officers direct and coordinate the corporation's activities.




"The instant lawsuit involves a Northwest Pipe Company product known as Permalok, which is a proprietary steel casing pipe joining system. The two plants where Permalok is manufactured are in Salt Lake City, Utah, and in St. Louis, Missouri. Permalok is not manufactured in Northwest Pipe Company's plant in Saginaw, Texas.

"FURTHER the affiant sayeth not."



Robin Gantt

SWORN TO AND SUBSCRIBED BEFORE ME by Robin Gantt on this 27 day of April, 2017, to certify which witness my hand and seal of office.



Notary Public, State of Washington

NOTARY PUBLIC
STATE OF WASHINGTON
CHRISTINE A NUSOM
MY COMMISSION EXPIRES
MARCH 25, 2020

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Sergio Rodriguez and Ana Quiroz, Ind. and as N.F. for E.R., a Minor

DEFENDANTS

Northwest Pipe Company

(b) County of Residence of First Listed Plaintiff Dallas

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Todd Clement, The Clement Firm, 17855 Dallas Pkwy., Ste. 155, Dallas, TX 75287; 214-250-9250; FAX: 214-535-6358

Attorneys (If Known)

Thomas D. Farris, Peterson Farris Byrd & Parker, P. O. Box 9620, Amarillo, TX 79105-9620; 806-374-5317; FAX: 806-372-2107

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. Section 1332

Brief description of cause:
negligence; product design defect**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

05/03/2017

SIGNATURE OF ATTORNEY OF RECORD

/s/ Thomas D. Farris

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**Supplemental Civil Cover Sheet for Cases Removed
From State Court**

**This form must be attached to the Civil Cover Sheet at the time the case is filed in the U.S.
District Clerk's Office. Additional sheets may be used as necessary.**

1. State Court Information:

Please identify the court from which the case is being removed and specify the number assigned to the case in that court.

Court	Case Number
236 th District Court, Tarrant County, Texas	236-291204-17

2. Style of the case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code).

Party and Party Type	Attorney(s)
Plaintiffs: Sergio Rodriguez and Ana Quiroz, Individually and as Next Friends for E.R., a Minor	Mr. Todd Clement, SB# 04361525 <i>clement@clementfirm.com</i> Ms. Ragan Speer, SB# 24072361 <i>ragan@clementfirm.com</i> The Clement Firm 17855 Dallas Parkway, Suite 155 Dallas, TX 75287 214-250-9250; FAX: 214-535-6358
Northwest Pipe Company, Defendant	Mr. Thomas D. Farris, SB# 06844700 <i>tfarris@pf-lawfirm.com</i> Peterson Farris Byrd & Parker P. O. Box 9620 Amarillo, TX 79105-9620 806-374-5317; FAX: 806-372-2107

3. Jury Demand:

Was a jury demand made in State Court: **Yes**

If "Yes," by which party and on what date:

Plaintiffs
Party

3-27-2017
Date

4. Answer:

Was an Answer made in State Court? **No.**

If "Yes," by which party and on what date?

Party

Date

5. Unserved Parties:

The following parties have not been served at the time this case was removed:

Party	Reason(s) for No Service
N/A	

6. Nonsuited, Dismissed or Terminated Parties:

Please indicate any changes from the style on the State Court papers and the reason for that change:

Party	Reason
N/A	

7. Claims of the Parties:

The filing party submits the following summary of the remaining claims of each party in this litigation:

Party	Claim(s)
Plaintiffs	Negligence; product design defect
Defendant	